

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BERNARD HAMILTON,

No. C 06-06268 CW (PR)

Plaintiff,

v.

OFFICER ADAMIK, et al.,

ORDER REFERRING TO MAGISTRATE JUDGE  
VADAS ALL PENDING MOTIONS AND  
FURTHER PROCEEDINGS RELATED TO THE  
COURT'S REFERRAL ORDER OF MARCH 26,  
2012

Defendants.

On March 26, 2012, the Court granted Plaintiff's motion for reconsideration of the order dismissing this action pursuant to the terms of a settlement agreement reached by the parties. The Court reopened the case and referred it to Magistrate Judge Nandor Vadas, "for further proceedings to determine whether the settlement agreement has been breached and/or whether further Court action is required to ensure compliance with the terms of the settlement agreement." Order at 3:3-7.

Since then, Magistrate Judge Vadas has directed the parties to brief the issues relevant to his determination. On June 27, 2012, Defendants filed a motion to enforce the settlement agreement and dismiss the action. Plaintiff's response to the motion is due July 27, 2012. A hearing is scheduled for August 14, 2012.

On May 30, 2012, Plaintiff filed a motion requesting that the briefing schedule be vacated and settlement proceedings be resumed. On June 5, 2012, Plaintiff filed a motion requesting preliminary injunctive relief directing Defendants to provide him with ice.

On July 3, 2012, Magistrate Judge Vadas denied Plaintiff's request to vacate the briefing schedule and resume settlement proceedings because this Court's order of referral did not authorize

1 him to conduct a further settlement conference. Additionally, he  
2 found he was precluded from ruling on Plaintiff's request for  
3 preliminary injunctive relief because he has not been authorized by  
4 this Court to issue the relief requested.

5 In the interest of the just and efficient resolution of the  
6 matters at issue herein, and good cause appearing, all pending  
7 motions and further proceedings that in any way relate to the  
8 interpretation, breach or enforcement of the provisions of the  
9 settlement agreement are hereby REFERRED, pursuant to 28 U.S.C.  
10 § 636(b)(1), to Magistrate Judge Vadas for determination or, if  
11 necessary, report and recommendation, because he is the judicial  
12 officer who is in the best position to address these matters. This  
13 referral includes the authority to hold further settlement  
14 proceedings, if he deems it appropriate.

15 The Clerk of the Court shall provide a copy of this Order to  
16 Magistrate Judge Vadas.

17 IT IS SO ORDERED.

18 Dated: July 09, 2012



CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE